

FISHERY LAW.

ABSTRACT of An Act, passed A. D. 1838—entitled "An Act to prevent injuries to the Fisheries within the County of Lunenburg, by

MILL DAMS, OR ANY OTHER OBSTRUCTIONS."

1st. General Sessions to appoint OVERSEERS OF FISHERIES, each of whom is to be sworn, and to forfeit a fine not less than *one pound*, and not more than *five pounds*, for neglect or refusal to serve. General Sessions may pay out of County Rates, such sum, as they may deem necessary for enforcing this Act.

2nd. Each Overseer shall from time to time, and at least three times a year, carefully examine the different Rivers, Streams, Branches of Rivers, Lakes, Mill Ponds and Brooks, within his district; and in case any Mill Dam, Erection, Nuisance, or Obstructions whatever, or any Slabs, Boards, Stones, or other thing injurious to the Fisheries, or by which the Fish cannot *freely pass* be found therein,—the Overseer shall report the same, on oath in writing, to any Justice of the Peace.

3rd. Any Justice to whom such complaint, or the complaint of any person on oath shall be made, shall notify the same to the Clerk of the Peace, who shall assemble a SPECIAL SESSIONS, and give notice thereof to the owner or occupier, or person offending. Special Sessions shall examine into the complaint, and if they find it *well grounded* and *proved*, they shall order the owner, occupier, or offender, to remove the same according to the meaning of this Act, within a reasonable time, and convict him in a Penalty of not less than *Two*, nor more *Ten pounds* for each offence, with Costs.

4th. Such Special Sessions shall and may, if they deem it expedient, also issue a WARRANT to the Sheriff, directing him with his Assistant to remove or destroy the obstruction or nuisance; and all persons are required to aid him, under a penalty of not less than one pound, and not more than five pounds, for neglecting or refusing so to assist.

5th. Warrant to issue for above Fine and Costs.

6th. Party aggrieved may, on giving Security, appeal to General Sessions.

7th. General Sessions may regulate Fisheries, although the Land on both sides be owned by the same person, and may forbid fishing by dip nets or scoops.

COURT OF GENERAL SESSIONS, LUNENBURG,

10th APRIL, 1838.

The Court direct that all obstructions to the River Fisheries be forthwith removed, and that the OVERSEERS OF FISHERIES diligently perform the important duties imposed on them by the above Act.

By the Court,

CHARLES B. OWEN,

CLERK PEACE.